

# HOUSE BILL No. 1231

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-11-2; IC 13-20-24.

**Synopsis:** Solid waste landfill locations near schools. Prohibits the solid waste boundary of a solid waste landfill from being located within 2,640 feet from a public or non-public school building.

**Effective:** July 1, 2004.

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January 15, 2004, read first time and referred to Committee on Environmental Affairs.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1231

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 13-11-2-142.6, AS ADDED BY P.L.225-2001,  
2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2004]: Sec. 142.6. "Non-public school", for purposes of  
4 IC 13-20-17.5 **and IC 13-20-24**, has the meaning set forth in  
5 IC 20-10.1-1-3.
- 6 SECTION 2. IC 13-11-2-176.5, AS ADDED BY P.L.225-2001,  
7 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2004]: Sec. 176.5. "Public school", for purposes of  
9 IC 13-20-17.5 **and IC 13-20-24**, has the meaning set forth in  
10 IC 20-10.1-1-2.
- 11 SECTION 3. IC 13-11-2-208, AS AMENDED BY P.L.218-2001,  
12 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2004]: Sec. 208. "Solid waste landfill", for purposes of  
14 IC 13-20-9, IC 13-20-21-6, **IC 13-20-24**, and IC 13-22-9, means a solid  
15 waste disposal facility at which solid waste is deposited on or beneath  
16 the surface of the ground as an intended place of final location.
- 17 SECTION 4. IC 13-20-24 IS ADDED TO THE INDIANA CODE

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1 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2004]:

3 **Chapter 24. Solid Waste Landfill Locations Near Schools**

4 **Sec. 1. This chapter applies to a solid waste landfill for which an**  
5 **application to obtain a permit to construct, expand, or operate the**  
6 **solid waste landfill is filed with the department.**

7 **Sec. 2. (a) The solid waste boundary of a solid waste landfill may**  
8 **not be located within two thousand six hundred forty (2,640) feet**  
9 **from a public or non-public school building without the written**  
10 **consent of the:**

11 **(1) governing body of the public school corporation; or**

12 **(2) chief administrative officer of the non-public school;**  
13 **that controls the school building.**

14 **(b) The measurement that this section requires must be made**  
15 **from the point on a school building that is nearest to the solid waste**  
16 **boundary of a solid waste landfill.**

17 **Sec. 3. The commissioner shall deny an application for a permit**  
18 **for the construction, expansion, or operation of a solid waste**  
19 **landfill if the commissioner finds that the solid waste landfill would**  
20 **not comply with the requirements of this chapter.**

21 **Sec. 4. The solid waste management board may adopt rules**  
22 **under IC 4-22-2 to implement this chapter.**

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